

Minutes
County Road Administration Board
April 22-23, 2010
CRAB Office – Olympia, Washington

Members Present: Dean Burton, Garfield County Commissioner, Chair
 Jim Whitbread, PE, Stevens County Engineer, Vice-Chair
 (via conference call)
 Doug Mattoon, Asotin County Commissioner, Second Vice-Chair
 Ray Thayer, Klickitat County Commissioner
 John Koster, Snohomish County Council Member
 Marc Boldt, Clark County Commissioner
 Dale Snyder, Douglas County Commissioner
 Brian Stacy, PE, Pierce County Engineer
 Andrew Woods, PE, Columbia County Engineer

Staff Present: Jay Weber, Executive Director
 Walt Olsen, Deputy Director
 Steve Hillesland, Assistant Director
 Karen Pendleton, Executive Assistant
 Randy Hart, Grant Programs Manager
 Jeff Monsen, Intergovernmental Policy Manager
 Bob Moorhead, Compliance & Data Analysis Manager
 Larry Pearson, Maintenance Programs Manager
 Rhonda Mayner, Secretary
 *Eric Hagenlock, Applications Specialist
 *Jim Oyler, Support Specialist
 *Kathy O'Shea, Database Specialist

Guests: *Joel Ristau, PE, Asotin County Engineer
 *Craig Miller, Asotin County
 *Monte Reinders, PE, Jefferson County Engineer
 *Rod Lakey, PE, Lewis County Engineer
 *Brad Miller, Ferry County Commissioner
 *Bob Breshears, PE, Ferry County Engineer
 *Bret Miller, Mason County
 *Hans Cregg, Mason County
 *Brian Matthews, Mason County
 *Bob Thuring, PE, Mason County Engineer
 *Reid Wheeler, retired CRAB staff
 **Merrill Ott, WSAC President (via conference call)
 **Paul Pearce, WSAC Secretary-Treasurer
 **Lynda Ring-Erickson, WSAC Past President
 **Scott Merriman, WSAC Deputy Director

**April 22, 2010 only **April 23, 2010 only*

CALL TO ORDER

Chair Burton called the County Road Administration Board quarterly meeting to order at 1:00 PM on Thursday, April 22, 2010, at the CRAB Office in Olympia.

CHAIR'S REPORT

Chair Burton requested that all cell phones be turned off and that guests please sign-in.

Approve Agenda for the April 22-23, 2010 Board Meeting

Commissioner Boldt moved and Mr. Stacy seconded to approve the agenda as presented.

Motion carried unanimously.

Approve Minutes of January 21-22, 2010 Board Meeting

Commissioner Thayer moved and Second Vice-Chair Mattoon seconded to approve the minutes of the January 21-22, 2010 CRABoard meeting. **Motion carried unanimously.**

Approve Minutes of March 26, 2010 Special Board Meeting

Commissioner Snyder moved and Second Vice-Chair Mattoon seconded to approve the minutes of the March 26, 2010 Special CRABoard meeting. **Motion carried unanimously.**

RURAL ARTERIAL PROGRAM – Randy Hart

Program Status Report

Mr. Hart reviewed the Rural Arterial Program project status report. He noted that 945 projects have been completed. Anticipated revenue to the end of the 2011-2013 biennium is \$494,153,665. RAP expenditures to date total \$396,687,186. RAP obligations remaining are \$152,994,760. He noted that 15 new projects have been added to the array following action taken by the Board at the March 26, 2010 Special Board Meeting.

Resolution 2010-003 – Correction to Resolution 2010-001 - Apportion RATA Funds to Regions

Mr. Hart presented Resolution 2010-003 to the Board. He noted that Resolution 2010-001, approved on January 21, 2010, listed the RATA receipts deposited for November - December 2009 and January 2010 as \$4,474,299 which included an amount of \$1,216,170.18 for January 2010. On January 22, 2010, the Washington State Treasurer's Office reported a correction to the January receipts revising the amount to \$1,426,170.28. The corrected receipts deposited on January 2010 revise the total apportionment amount for the quarter to \$4,684,299.

This resolution apportions the revised amount of \$4,684,299 now credited to RATA for November-December 2009 and January 2010 be apportioned to the regions as a correction to resolution 2010 - 001 by the established 2009 - 2011 biennium regional percentages after setting aside \$112,500 for administration.

Second Vice-Chair Mattoon moved and Commissioner Boldt seconded to adopt Resolution 2010-003 as presented. **Motion carried unanimously.**

Resolution 2010-004 – Apportion RATA Funds to Regions

Mr. Hart presented Resolution 2010-004 to the Board. This resolution apportions the accrued amount of \$4,318,747 now credited to RATA for February through April 2010 to the regions by the established 2009-11 biennium regional percentages after setting aside \$112,250 for administration. Commissioner Thayer moved and Council Member Koster seconded to adopt Resolution 2010-004 as presented. **Motion carried unanimously.**

Project Request – Asotin County

Second Vice-Chair Mattoon recused himself from discussion and voting, and excused himself from the room.

Mr. Hart announced that Asotin County has requested a RATA increase of \$324,900 for their Snake River Road project. He noted that this is 50% of the RATA funded amount of \$649,800. Also, as a consequence of selecting a preferred realignment during project design, the county has requested that the project limits be changed to M. P. 4.33 – 4.62. This is a 17% reduction of the project length.

Mr. Hart gave background information on the project. He noted that the county incurred unforeseen costs for additional archaeological study, additional right-of-way costs, additional construction costs, inflation, and additional construction engineering oversight.

Mr. Hart reported that the county has demonstrated that the items listed are extraordinary and were unforeseeable at the time the prospectus was submitted. These costs come to a total of \$2,002,438, of which the RATA matching amount at 90% is \$1,802,194. Since this exceeds the amount the county is requesting, staff recommends the CRABoard increase the funding to the 50% limit of \$324,900 per the county's request and reduce future funding available to the county by the approved increase amount.

Staff also finds that shortening the project by 0.06 miles does not affect the ranking of the project on the priority array and recommends approval of the proposed scope change, revising the milepost limits from 4.30 – 4.65 to 4.33 – 4.62.

He introduced Mr. Ristau and Mr. Miller, who gave a brief presentation to the Board.

Mr. Olsen noted the written comments sent in by Asotin County resident Rich Eggleston in opposition to the project.

Point 1: additional cost analysis

Mr. Ristau noted that the additional archaeological issues alone caused at least three years of delay on the project. He reported that in 2002 land in the project area was selling for \$12,000 - \$24,000 per acre, but delays in the design and environmental issues caused right-of-way acquisition to occur after land values had substantially escalated. The redesigned project required an additional 3.44 acres at an increased cost of \$375,000. Archaeological costs, including adding a gravity block wall to protect the burial site, increased material costs, and inflation have driven the cost of construction substantially higher than the initial engineer's estimate in 2002.

Point 2: risk of further damage to burial grounds

Mr. Weber asked Mr. Ristau if staying within the existing disturbed corridor would guarantee that no further graves were disturbed. Mr. Ristau replied no.

Point 3: request for peer review

Mr. Weber noted that the requested review was for a design submitted by Mr. Eggleston, not the county's submitted design. He further noted that this type of

review is outside of CRAB's scope of responsibility.

After questions and discussion, Mr. Woods moved and Vice-Chair Whitbread seconded to approve Asotin County's request for \$324,900 in increased funding and a scope reduction of .06 miles, with a reduction of \$324,900 in future RATA funding. **Motion carried unanimously, with Second Vice-Chair Mattoon recused.**

Second Vice-Chair Mattoon returned to the meeting room.

Project Request - Jefferson County

Mr. Hart announced that Jefferson County has requested \$161,152 in emergency RATA funding for the repair of Dosewallips Road, milepost 2.70, per their letter dated March 5, 2010. He introduced Mr. Reinders.

Mr. Hart noted that Dosewallips Road is a rural minor collector that provides access to residents, businesses, and Olympic National Forest and National Park. Due to heavy rainfall November 16 – 20, 2009 and the resulting saturation, Dosewallips Road suffered significant sliding that prompted Jefferson County to close the road, declare an emergency and activate emergency response on November 20, 2009.

Jefferson County estimates the cost to repair the damaged section of road at \$179,058. The regional matching, at 90%, puts the total RATA funds requested at \$161,152.

If funded, the county realizes and agrees to a commensurate reduction in its funding eligibility in the next allocation period.

Staff finds that this request meets the requirements for RAP emergency funds, and recommends approval of \$161,152 for repair and reconstruction of Dosewallips Road at milepost 2.70. This funding amount, if approved, will be deducted from the county's funding limit for the next allocation period.

After questions and discussion, Council Member Koster moved and Commissioner Boldt seconded to approve Jefferson County's request for \$161,152 in emergency funding for the Dosewallips Road repair and reconstruction project with a reduction in future RATA funding for the same amount. **Motion carried unanimously.**

Project Request - Lewis County

Mr. Hart announced that Lewis County has requested \$141,541.48 in emergency RATA funding for the replacement of Chandler Road Bridge, milepost 0.02 to 0.06 per their letter dated March 24, 2010. He introduced Mr. Lakey.

Mr. Hart noted that Chandler Road is a local access road that provides access for residents across the Chehalis River from State Route 6 in west Lewis County to the state highway and the cities of Chehalis to the east and Raymond to the west. Due to heavy rainfall and flooding that commenced on December 2, 2007 the river overtopped the bridge with logs and trees, removing and depositing it into the channel. The road was closed in the vicinity of the bridge, and on Monday, December 3, 2007 the county declared an emergency, activating emergency responses to deal with the effects of flooding countywide. Governor Gregoire declared a

statewide emergency on December 2, 2007 and on December 6, 2007 petitioned the President through the Federal Emergency Management Agency (FEMA) for federal assistance. FEMA declared the flooding a national disaster (Event 1734) on December 8, 2007, making Lewis County road and bridge damage eligible for FEMA funding.

On all FEMA eligible repairs, FEMA pays 75% of the cost to replace while the State Department of the Military pays 12.5%. CRAB has authority per WAC 136-163-030 to reimburse the remaining 12.5% after federal approval. The total costs approved by the FEMA are as follows:

Federal share	\$849,248.91
State share	\$141,541.49
County share	\$141,541.49 (reimbursable by CRAB)

If funded, the county agrees to a commensurate reduction in its funding eligibility in the next allocation period.

Staff finds the county has met all requirements and eligibility for funding for Chandler Road Bridge No 55, and recommends CRABoard funding of the \$141,541.49 requested, with the condition that the funding limit for Lewis County in the next allocation period be reduced by the approved amount.

After questions and discussion, Second Vice-Chair Mattoon moved and Mr. Woods seconded to approve Lewis County's request for \$141,541.49 in emergency funding for the Chandler Road Bridge repairs, with a reduction in future RATA funding for the same amount. **Motion carried unanimously.**

Chair Burton called for a five minute recess.

COMPLIANCE REPORT – Bob Moorhead and Larry Pearson

Mr. Moorhead reported on county compliance in required submittals of Road Levy Certification, Traffic Law Enforcement Certification, Certification of Expenses for Fish Passage Barrier Removal, Annual Construction Report, CAPP Report, Bridge Inspections, and Annual Certification. He noted that all 39 counties submitted their electronic filings in a timely manner.

He reported that 38 of the counties are in full compliance of the Standards of Good Practice for 2009, the exception being Lewis County due to an issue concerning construction by county forces.

He summarized his recent activities.

Mr. Pearson reported on county progress in compliance of the requirements for the Maintenance Management Certificate of Good Practice.

ANNUAL CERTIFICATION – Jay Weber

Resolution 2010-005 Annual Certification

Mr. Weber announced that as required by RCW 36.78.090 and RCW 36.78.100, and pursuant to WAC 136-04-010 through WAC 136-04-060, he is submitting to the County Road Administration Board his report of his review of the annual certifications submitted by the counties for the calendar year 2009. Each year, these certifications provide information to this agency which touches upon three main areas: Management and Administration; Document Submittal, which

includes such items as road levy certification, road log updates, construction reports, etc.; and Operations. From receipt of this information, staff is able to determine the level of compliance with applicable laws and Standards of Good Practice achieved by the counties of the State of Washington, and it is upon demonstrated compliance with these laws and standards which continued receipt of the fuel tax distribution depends.

Mr. Weber reported that Lewis County has unreasonably exceeded its statutory day labor limit for 2009. He recommended that a Conditional Certificate of Good Practice be issued to Lewis County, that staff work with the county to resolve the issue and report to the Board at the July 2010 CRABoard meeting, and that the Lewis County Board of Commissioners be present at said meeting. He noted that the county immediately ceased day labor when the issue was discovered in the course of a State audit.

Mr. Olsen introduced Mr. Lakey, who spoke briefly and answered questions.

Mr. Weber concluded that he is pleased to be able to report to the Board that 38 of the 39 reporting counties have demonstrated reasonable and substantial compliance with all applicable laws and Standards of Good Practice. He therefore recommended approval of Resolution 2010-005 stating the issuance of Certificates of Good Practice in the names of the thirty-eight counties listed on the resolution.

Commissioner Snyder moved and Commissioner Boldt seconded to approve Resolution 2010-005, issuing Certificates of Good Practice to 38 counties. **Motion carried unanimously.**

Resolution 2010-006 Lewis County Conditional Certificate of Good Practice

Based on the information given under the previous item, Mr. Weber recommended that a Conditional Certificate of Good Practice be transmitted to the State Treasurer on behalf of Lewis County.

Second Vice-Chair Mattoon moved and Councilmember Koster seconded to approve Resolution 2010-006, issuing a Conditional Certificate of Good Practice to Lewis County. **Motion carried unanimously.**

FERRY COUNTY PRESENTATION

Mr. Olsen introduced Mr. Breshears and Commissioner Miller. He reported that the county has fully completed the action plan required in order to regain its use of construction by county forces.

Commissioner Miller thanked the Board for their and staff's assistance in working through the issue.

Chair Burton presented Commissioner Miller with Ferry County's 2009 Certificate of Good Practice.

Mr. Weber thanked the Ferry County commissioners and staff for their cooperation and commitment to the action plan.

DIRECTOR'S REPORT – Jay Weber

CRABoard Positions

Mr. Weber reported that on April 1, 2010 he sent a letter to WSAC President Merrill Ott notifying him of the expiration in June 2010 of the terms of Commissioner Dean Burton, Commissioner Dale Snyder, and County Engineer Jim Whitbread. All three are eligible for reappointment by WSAC.

WSACE County Engineer of the Year Nominations

Mr. Weber reported that nomination forms for the WSACE Engineer of the Year have been sent out. This year's application deadline is May 7, 2010.

Current Budget

Mr. Weber reviewed CRAB's current budget status, noting that the RAP figures do not reflect the additional \$22 million appropriation awarded by the legislature. He also reported that the current state budget requires CRAB to reduce its operating budget by \$65,000 through the end of the biennium.

DEPUTY DIRECTOR'S REPORT – Walt Olsen

County Engineers/Public Works Directors

Mr. Olsen announced the following change in the status of County Engineers and Public Works Directors since January 2010:

1. By letter on January 22, 2010, King County announced that Paulette Norman, PE, has resumed her duties as the County Road Engineer, effective January 18, 2010. The duties of the County Engineer had been temporarily reassigned to Rick Brater, PE, effective April 13, 2009 through August 31, 2009, and to Matt Nolan, PE, effective September 1, 2009 through January 17, 2010.
2. By letter on March 2, 2010, Cowlitz County announced that Ryan Lopossa, PE, has assumed the duties of County Engineer, effective March 1, 2010. The duties of the County Engineer had previously been vested with Public Works Director Kent Cash, PE.
3. By letter on April 20, 2010, Skagit County reaffirmed that the search for a Public Works Director/County Engineer continues. The duties of the County Engineer are vested in Interim Public Works Director Tom Ballard, with duties requiring a Professional Engineer's license designated to Michael R. Mariano, PE, as a subcontractor to the County Engineer for the interim period.

Mr. Olsen noted that Lewis County has hired a new County Engineer who is scheduled to begin on July 1, 2010.

County Visits

Mason County
Lewis County (2)
Cowlitz County

Ferry County Corrective Action Plan Reports were received:
County Engineer's Office for January 2010 on February 5, 2010

County Engineer's Office for February 2010 on March 11, 2010
 County Engineer's Office for March 2010 on April 7, 2010

Numerous contacts with County Engineers took place in other venues.

County Audit Reports reviewed since January 2010

The 1997 State Auditor Office (SAO) audit of CRAB concluded that the minutes of the Board meetings needed specific mention of SAO audits of the counties and of any findings that might relate to the statutory responsibilities of CRAB. The minutes also need to reflect any recommendations from the CRABoard to staff in response to the audits. This report details our staff procedures to satisfy the SAO.

CRAB has reviewed four audit reports representing four counties since the January 2009 board meeting. Any audits, with county name in bold print, revealed substantive findings involving County Road Funds, specifically:

1. **Mason County: SAO # 1002908, issued on February 1, 2010**, covering the period from January 1, 2008 to December 31, 2008. This report covered the Accountability Audit, and issued one new finding, possibly involving County Road Funds.
2. Franklin County: SAO # 1002970, issued on February 8, 2010, covering the period from January 1, 2008 to December 31, 2008. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
3. Snohomish County: SAO # 1002975, issued on February 8, 2010, covering the period from January 1, 2008 to December 31, 2008. This report covered the Accountability Audit, updated no previous findings, and issued no new findings.
4. Skamania County: SAO # 1003311, issued on March 29, 2010, covering the period from January 1, 2008 to December 31, 2009. This report covered the Accountability Audit, updated no previous findings, and issued one new findings, none involving County Road Funds.

Mr. Olsen noted that the following audits are outstanding:

Accountability:

Adams
 Clallam
 Ferry
 Garfield
 Grant
 Jefferson
 King
 Pacific
 Spokane
 Stevens
 Yakima

Financial:

Grant
 Whitman

Other Activities and Visits since January 2010

Mr. Olsen reported on his other activities.

INTERGOVERNMENTAL POLICY UPDATE – Jeff Monsen

County Visits

1/27 - Skamania
 2/18 - King (including Snohomish and Pierce)
 2/25 & 4/9 - Whatcom
 3/1 - Snohomish
 3/23 - Kittitas
 3/23 - Grant
 3/24 - Okanogan
 3/26 - Ferry
 3/26 - Douglas
 4/2 - Kitsap (at Gig Harbor)

Other Activities

Mr. Monsen reported on his other activities.

County Engineer Training

Mr. Monsen noted upcoming training sessions:

3-Day County Engineer Training May 4-6 in the CRAB offices

1-Day County Engineer Training:

May 13 - Port Townsend (Jefferson County hosting)
 May 20 - Ephrata (Grant County hosting)

INFORMATION SERVICES UPDATE – Steve Hillesland

Mr. Hillesland updated the Board on activities of the Information Technology Team, including training in AutoCAD Civil 3D and the new RAP capabilities being developed for the website.

RAP ONLINE DEMONSTRATION – Eric Hagenlock and Randy Hart

Mr. Hagenlock and Mr. Hart demonstrated the progress on the RAP Online program being developed for future release on the CRAB website. Mr. Hart noted that this will improve the efficiency of the program and reduce the redundancy of paperwork, and that he has been impressed with the program so far.

CORRECTION TO RESOLUTION 2010-006

Ms. Pendleton noted that the dates of the July CRABoard meeting as listed on Resolution 2010-006 are incorrect, and should be July 29-30, 2010.

Second Vice-Chair Mattoon moved and Commissioner Snyder moved to readopt Resolution 2010-006 with the corrected dates. **Motion passed unanimously.**

Chair Burton recessed at 3:45 PM on Thursday, April 22, 2010. The meeting will resume Friday, April 23, 2010 at 8:30 AM.

Friday, April 23, 2010

CALL TO ORDER

Due to miscommunication between CRAB staff and WSAC staff as to the time of the conference call, the start of the meeting was delayed.

The second day of the spring CRABoard meeting was called to order by Chair Burton at 9:00 AM on April 23, 2010.

CRABOARD TECHNICAL SESSION WITH WSAC EXECUTIVE COMMITTEE

Meeting adjourned at 10:35 AM.

Chairman's Signature: _____

Attest: _____